United Nations A/HRC/WG.6/31/MUS/1

General Assembly

Distr.: General
13 August 2018

Original: English

Human Rights Council
Working Group on the Universal Periodic Review
Thirty-first session
5–16 November 2018

National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Mauritius

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I. Introduction

1. The Government of Mauritius is committed to strengthening democracy, promoting nation building and entrenching the fundamental rights and freedoms of Mauritian citizens. The promotion and protection of human rights is guided by the basic philosophy underlying Government Programme 2015-2019 which is "*Achieving meaningful change*". In addition to the human rights provisions enshrined in the Constitution, a series of measures have been adopted and are aimed at ensuring that the Citizens of Mauritius, irrespective of their race, place of origin, political opinions, color, creed or sex are able to exercise effectively their civil, political, economic, social and cultural rights.

2. In 2017, the Economist Intelligence Unit (EIU) ranked Mauritius as the 16th most democratic nation in the world illustrating the commitment of the Government to strengthen the existing democratic and human rights architecture. Mauritius also retained its first place on the Mo Ibrahim Index relating to governance performance in African countries. The Rating for Mauritius was 0.781 in the 2016 Human Development Report. Consequently, Mauritius is placed in the high human development category and positions itself at 64 out of 188 countries and territories. Both the International Monetary Fund and Moody's have described the economic performance of Mauritius as being strong and resilient. In March 2018, Moody's affirmed the current Baa1 sovereign credit rating for Mauritius due to its stable outlook.

II. Methodology and consultation process

3. In the preparation of our third Mauritius Report for the Universal Periodic Review, the General Guidelines of the Human Rights Council have been followed.

4. The national report of the Republic of Mauritius covers the Islands of Mauritius, Rodrigues, Agalega, Tromelin, Cargados Carajos and the Chagos Archipelago, including Diego Garcia and any other island comprised in the State of Mauritius. Workshops and brainstorming sessions were organised with relevant stakeholders. The Report aims at providing updates on the recommendations made during the last review in July 2013. It should be read in conjunction with the following:

(a) Periodic reports submitted to the Committee on the Elimination of Discrimination against Women (2018), The Committee on Economic, Social and Cultural Rights (2017), the Committee on the Elimination of Racial Discrimination (2017), the International Covenant on Civil and Political Rights (2016) and Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2016);

(b) UPR mid-term report of Mauritius submitted in May 2016.

The Chagos Archipelago

5. The Chagos Archipelago, including Diego Garcia, forms an integral part of the territory of Mauritius under both Mauritian law and International law. Although Mauritius has sovereignty over the Chagos Archipelago, it is being prevented from exercising its sovereign rights over the Chagos Archipelago. The United Kingdom excised the Chagos Archipelago from the territory of Mauritius prior to independence, in violation of international law and UN General Assembly Resolutions 1514 (XV) of 14 December 1960, 2066 (XX) of 16 December 1965, 2232 (XXI) of 20 December 1966 and 2357 (XXII) of 19 December 1967. The decolonization process of Mauritius therefore remains incomplete.

6. The illegal excision of the Chagos Archipelago from the territory of Mauritius also involved the eviction by the United Kingdom of the Mauritians who were residing at the time in the Archipelago ("Chagossians") in total disregard of their human rights. Most of the Chagossians were moved to Mauritius.

7. Chagossians, being fully-fledged citizens of Mauritius, enjoy the same rights as other Mauritian citizens. However, with a view to improving the well-being of the Chagossians, the Government of Mauritius has taken and continues to take special measures in their favour. These measures include the donation of land for the construction of houses and the setting up of the Chagossian Welfare Fund (**Recommendation 113**).

III. Human rights framework – developments since last review in 2013

Political

8. In November 2017, the Ministry of Justice, Human Rights and Institutional Reforms was created and the portfolio of Human Rights was transferred from Prime Minister's Office to the newly created Ministry. Additionally, a Human Rights Secretariat and the National Mechanism for Reporting and Follow-Up (NMRF) have been set up since December 2017 under the aegis of the new Ministry (**Recommendations 25, 42**). This new framework aims to ensure that Human Rights obligations are fully met, periodic reports and mid-term Review /Progress Reports are submitted in a timely manner after thorough consultations with all parties concerned. Furthermore, it ensures a better coordination among Ministries in respect of the implementation of recommendations and decisions and enables a thorough monitoring of Human Rights issues.

9. The **Independent Police Complaints Commission Act** was proclaimed in April 2018 and the IPCC is already operational. The IPCC investigates into complaints, other than acts of corruption or money laundering offences, made against police officers in the discharge of their functions.

International conventions and protocols

10. Mauritius is taking the necessary steps to ratify or accede to the major human rights instruments. The newly set up NMRF is responsible for coordinating this task. (**Recommendation 1**).

11. **Ratification of the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (ICRMW) (Recommendations 2, 3, 4, 5, 6, 7 and 115**): it will not be possible to allow migrant workers with their families, in view of Mauritius being geographically small and having limited resources.

12. **The second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR), aiming at the abolition of the death penalty (Recommendation 8).** Following the enactment of the Abolition of Death Penalty Act 1995, all death sentences imposed have been commuted to sentences of penal servitude for life (**Recommendations 116 to 119 and 121**). The Supreme Court may now inflict sentences of penal servitude for life or sentences for terms not exceeding 60 years where the law so provides.

13. The ratification of The International Convention for the Protection of All Persons from Enforced Disappearances (CPED) is not being envisaged for the time being (**Recommendations 9, 10, 11**). Mauritius has no case of enforced disappearance (**Recommendation 122**).

14. The ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR) is under consideration (**Recommendation 132**). There are a number of existing domestic remedies already available to Mauritian citizens. Mauritius being a welfare state, already provides free education, free access to health services and social aid to vulnerable groups and universal pension benefits to the elderly and free public transport for elderly and students. (**Recommendation 120**).

15. The third Optional Protocol to the Convention on the Rights of the Child (CRC): The Third Optional Protocol on a Communications Procedure to the CRC was signed on 13

August 2012 **(Recommendations 12 and 13).** Ratification of same shall be envisaged once the Children's Bill and Adoption Bill are passed by the National Assembly. Both Bills have reached an advanced stage of preparation.

16. Mauritius has not yet ratified the Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention of 1951): Mauritius is already a party to the Rome Statute and same has been domesticated in the International Criminal Court Act which criminalises genocide and other atrocities of war crimes. **(Recommendations 14, 15 and 127).**

17. Mauritius is considering the signature and ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Older Persons in Africa adopted by the African Union in 2016. The NMRF is currently coordinating between stakeholders.

18. Mauritius has ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa in June 2017, albeit with reservations.

19. Mauritius has not yet ratified the Agreement on the Privileges and Immunities of the International Criminal Court (ICC). However, draft regulations have been prepared for discussions and comments. **(Recommendation 129).**

20. Mauritius has not signed the 1951 Convention Relating to the Status of Refugees and its Protocol **(Recommendations 15 and 123).** Government has consistently not adopted a policy to grant status of refugees to foreigners. Assistance is extended to those who apply for asylum through the United Nations High Commissioner for Refugees by facilitating their settlement in a country willing to receive them.

21. Mauritius has not yet ratified the Kampala Convention **(Recommendation 130).** Mauritius does not have problems associated with internally displaced people in view of its size and topography.

22. Mauritius has ratified the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data known as "Convention 108". Mauritius is the first African country to ratify this Convention.

Legislative

23. New pieces of legislation have been enacted since the last review of Mauritius to better guarantee the protection of human rights **(Recommendations 28, 29).**

24. The **Human Tissue (Removal, Preservation and Transplant) Bill** has been passed in 2018. A better legal framework for the removal, preservation and transplant of human tissue, other than blood, under appropriate medical supervision is now available.

25. The **Reform Institutions (Amendment) Bill** was passed in April 2018. The object of the Bill is to:

(a) Do away with the system of automatic remission whereby convicted persons were eligible to be discharged after having served two thirds of the period of sentence and to replace it with a new system of earned remission with a view to encouraging convicted persons to earn maximum remission not exceeding one third of the period of sentence where, during their term of imprisonment, they are of good conduct by not committing any prison default;

(b) Toughen the law against officers of the Mauritius Prisons Service, detainees and persons working in reform institutions who are convicted under the Act; and

(c) Provide that where, during his term of imprisonment, a detainee commits an offence under the Act, that detainee shall, on conviction for that offence, be ordered to serve immediately after the expiry of the sentence for which he was detained, any sentence imposed upon him by the Court.

26. The new system of earned remission is not applicable to those convicted for drug dealing/ trafficking, sexual offenses on minors or handicapped persons.

27. A new **Data Protection Act** was enacted last year and came into force in January 2018. It provides for the protection of the privacy rights of individuals in view of the developments in the techniques used to capture, transmit, manipulate, record or store data relating to individuals. This new Act aligns the law in Mauritius with the EU General Data Protection Regulation (GDPR). Mauritius is the first country to align itself with the EU GDPR.

28. The **Equal Opportunities Act** was amended in 2017 to provide for the prohibition of discrimination in employment on the grounds of a person's criminal record, both at recruitment and promotion level, where a person's criminal record is not relevant to the nature of the employment for which that person is being considered (**Recommendation 55**). The law was also amended to put the burden of proof, that a discrimination on ground of criminal records is relevant, on the employer.

29. The Extradition Act dating back to 1970 was repealed and replaced by a new legislation. The Extradition Act was passed in the National Assembly in 2017 to make better provisions for the extradition of persons from and to Mauritius. It simplifies extradition procedures and makes no distinction between Commonwealth and non-Commonwealth countries and promotes cooperation without for that matter neglecting to make adequate allowance for the rights of persons whose extradition or arrest is sought. The Act has already been proclaimed and is in force. In fact, the first case of extradition under the new law has been processed in 2018.

30. The **Social Integration And Empowerment Act** was passed in 2016 to promote social integration and empowerment of persons living in absolute poverty within the philosophy of enhancing social justice and national unity (**Recommendation 45**).

31. The **Prevention of Terrorism Act** was amended in 2016 to provide for the reinforcement of the legal framework against terrorism, and for related matters.

32. The **Constitution** was amended in November 2016 to provide for the imposition of restrictions on:

(a) The movement within Mauritius;

(b) The right of any person to leave Mauritius.

pursuant to an order of a Court or a Judge of the Supreme Court under the Prevention of Terrorism Act, being a law relating to offences or acts of terrorism.

33. The **Protection of Elderly Persons Act** was amended in 2016 to enhance the level of protection of, and security to the elderly (**Recommendation 46**).

34. The **Protection from Domestic Violence Act** was amended in May 2016 to provide for better protection to victims of domestic violence.

35. The **Firearms Act** was amended in 2016 to implement the provisions of the Arms Trade Treaty to which Mauritius is a signatory. It enables police officers to exert a better control on the movement of firearms in the country and those in transit.

36. The **National Women's Council Act** was amended in 2016 to further promote women's empowerment and gender equality, especially through the active participation of women in the social, economic and political fields.

37. The **National Wage Council Act** was passed by the National Assembly in 2016. It provided for the establishment of the National Wage Consultative Council, which, in the discharge of its functions shall be mainly responsible to make recommendations to Government regarding:

(a) The introduction of a national minimum wage in the private and public sectors; and

(b) The payment of additional remuneration to offset any increase in the cost of living every year with a view to improving the living conditions of workers.

38. The National Minimum Wage is now a reality in Mauritius.

39. The **Anti-Personnel Mines and Cluster Munitions (Prohibition) Act** was passed in 2016. It domesticates the Convention on Cluster Munitions and provides a single legislation to incorporate both the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, and the Convention on Cluster Munitions.

40. Amendments were brought to the Rodrigues Regional Assembly Act, through the **Rodrigues Regional Assembly (Amendment) Act 2016**. Concurrently, an amendment was brought to the Constitution to make provision for a minimum number of candidates for election to the Rodrigues Regional Assembly to be of a particular sex, with a view to ensuring adequate representation of each sex in the Rodrigues Regional Assembly.

41. The **Information and Communications Technologies Act** was amended in 2016 to provide, inter alia, that the National Assembly shall, for the broadcast of its proceedings be exempt from being licensed with the Independent Broadcasting Authority.

42. The **National Assembly (Privileges, Immunities and Powers) Act** was also amended in 2016 to provide that no civil or criminal proceedings be instituted against any person for broadcasting the proceedings of the National Assembly.

43. The **Police (Membership of Trade Union) Act** was passed by the National Assembly in 2016 to allow members of the Police Force to unionise.

44. The **Employment Rights Act** was amended in 2015 to increase maternity leave from 12 weeks to 14 weeks. It also provides that every employer shall ensure that the remuneration of any worker shall not be less favourable than that of another worker performing work of equal value. Government has also announced in Budget Speech 2018-2019 that paid maternity leave will be extended to employees who are not 'confirmed' in their employment.

45. The **Local Government Act** was amended in 2015 to provide for a larger representation of women in the political arena. The Municipal City Council and Municipal Town Council Elections Regulations 2012 were amended in 2015 to provide for compliance with Section 11 (6) of the Local Government Act, which provides that any group presenting more than 2 candidates in an election shall ensure that the candidates are not all of the same sex.

46. The **National Employment Act 2017** provides for a National Employment Department to promote employment, placement and training of job seekers including young persons and persons with disabilities through approved programmes.

47. The **Judicial and Legal Provisions Act** was passed in 2018 with a view to improving the administration of justice in Mauritius (additional details are at paragraph 66).

48. The National Assembly has also passed the **Convention on Prohibitions or Restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have Indiscriminate Effects Act**. The Act gives effect to the Convention commonly known as the Convention on Certain Conventional Weapons (CCW) and to its protocols. It provides for the protection of civilians and civilian populations and for post-armed conflict measures.

IV. Promotion and protection of human rights on the ground

Equality and non-discrimination

49. The Certificate of Character Act 2012 provides that a person who has been convicted for a specified minor offence and who has been given a non-custodial sentence in specified cases or been granted a free pardon in respect of an offence shall be deemed not to have committed an offence for the purpose of being issued a Certificate of Character **(Recommendation 87)**.

50. Section 9 of the **Equal Opportunities Act** provides that every employer needs to draw up and apply an Equal Opportunity Policy at his/her place of work with a view to

minimise the risks of discrimination and promoting recruitment, training, selection and employment on the basis of merit. The Act was amended in 2017 for the prohibition of discrimination in employment on the grounds of a person's criminal record. **(additional details at paragraph 28).**

51. The Equal Opportunities Commission has since its inception up to April 2018 dealt with 2007 cases lodged either by individuals or by group of individuals seeking redress as to cases of discrimination. The population is being sensitized by the Commission with regards to lodging of complaints. **(Recommendation 16).**

52. Government has not yet taken any policy decision to repeal section 250 of the Criminal Code regarding consensual homosexual activity **(Recommendations 145 to 147).** The NMRF is, however, actively coordinating efforts especially with NGOs and other countries towards finding the most appropriate solutions to this Human Rights issue.

53. Statistics on complaints compiled by the different National Human Rights Institutions in Mauritius are at **Annex 1.**

Right to development

54. Mauritius believes in providing equal opportunities to its citizens. Government also promotes social empowerment through a series of social measures with a view to raising the standard of living of its citizens. Mauritius has consistently maintained and, where possible, strengthened the welfare state.

55. As at March 2018, three mobile apps (Smart Traffic App, Smart Police App, and Consumer Protection App) have been launched and citizens can access relevant and real-time information.

Environmental issues

56. In 2016, the National Disaster Risk Reduction and Management Act 2016 came in force and a National Disaster Risk Reduction and Management Council (NDRRMC) was set up to inter alia oversee the implementation of National Disaster Risk Reduction and Management policies, framework and plan. The National Disaster Risk Reduction and Management Centre under the guidance of Council, acts as the main institution for coordinating and monitoring the implementation of disaster risk reduction and management activities.

57. A Land Drainage Authority has been set up to manage and coordinate drain projects and also implement a land drainage master plan. It will ensure the protection of life and property of the citizens and endeavor to minimize havoc and sufferings caused by acts of nature. The Land Drainage Authority Act was passed in the National Assembly in 2017.

58. The Republic of Mauritius is the first Small Island Developing State (SIDS) to have its own tide and storm surge Early Warning System.

59. A manual on climate change for teachers of primary and secondary schools has been prepared. Some 750 teachers have been trained.

60. Over 100,000 people from civil society have been sensitized between 2014 and 2017 on climate change. Moreover, local volunteers are also trained by NDRRM Centre to act as the 'Community Disaster Response Team'. Government has also put the necessary funding available to the National Environment Fund for the implementation of projects island-wide, to protect the environment and mitigate risks associated with climate change- this includes the rehabilitation of beaches, solid waste management, flood management, landslide management and other embellishment works.

Human rights and counter-terrorism

61. The National Counter Terrorism Strategy of Mauritius currently under preparation will be in line with the UN Global Counter Terrorism Strategy. Due consideration is being given therein to Pillar IV to ensure that the fight against terrorism does not discriminate, in purpose or effect, on grounds of race, colour, descent, or national or ethnic origin and that individuals are not subjected to racial or ethnic profiling or stereotyping.

Right to life, liberty and security of the person

62. The Right to bail is a constitutionally protected right. The **Bail Act** sets out the grounds on which bail may be refused by the Court as well as the conditions that may be imposed by the court for the release of the defendant or detainee.

63. The table below shows the Prison population (more details in **Annex 4**) as at March 2018.

Prisons	*Capacity*	*Remand*	*Convicted*	*Total*
Total	**3,274**	**1,047**	**1,312**	**2,359**

Source: Mauritius Prison Service

64. The Police and Criminal Justice Bill is under preparation and likely to be brought to the National Assembly in 2018. It aims at striking a balance between the rights of the individual and the powers by the Police and those in authority. In the Draft Bill, provisions have been made for Codes of practice to be observed by police officers, which include inter alia, investigation, powers of arrest and stop and search. The Bill makes provision for a police officer not to arrest a person on the basis of a mere allegation by a third party.

Administration of justice, including impunity and the rule of law

65. The Government Programme 2015-2019 provides that reforms will be brought to the judiciary to expedite determination of court cases. The legislation to set up a separate Court of Appeal Section and a separate High Court Section of the Supreme Court is in the pipeline.

66. The newly enacted Judicial and Legal Provisions Act provides inter alia:

(a) For the review of the offence of outrage against the public and religious morality and the offence of stirring up contempt or racial hatred so as to criminalise such offences committed through electronic means, and to provide for stiffer penalties;

(b) For an increase in the time limit for payment of a fine from 12 months to 2 years;

(c) That a person sentenced to a term of imprisonment or penal servitude shall, subject to certain conditions, be given full credit for the time he has spent in custody by deducting that time from the term of imprisonment or penal servitude imposed;

(d) That a convicted person who has, so far, not benefitted from full credit for the time he has spent in custody, may petition the President under section 75 of the Constitution with a view to obtaining full credit for the time he has spent in custody.

67. Government believes that proper infrastructure should be provided to the judiciary and thus a new Supreme Court Tower is being constructed and is expected to be completed by September 2019. Furthermore, new court premises will be provided to District Courts in different regions.

68. New digital and audio recording systems have been put into place.

69. E-Judiciary is run at the level of the Commercial Division of the Supreme Court.

Fundamental freedoms and participation in public and political life

70. Section 12 of the Constitution provides for freedom of expression. Government is considering to amend the Independent Broadcasting Authority Act, which currently limits foreign shareholding in companies applying for a television permit to 20% **(Recommendation 88)**.

71. The Human Rights Committee in its finding of 2012 stated that Article 25 of the Covenant had been violated. With a view to complying with the findings of the UN Human Rights Committee, Parliament, in July 2014, passed the Constitution (Declaration of Community) (Temporary Provisions) Act whereby it was not mandatory for a candidate to declare the community to which he belongs for the general elections of December 2014.

72. Government stands committed to reform the electoral system so as, inter alia, to introduce a dose of proportional representation in the National Assembly, guarantee better women's representation and address the issue of mandatory declaration of community **(Recommendations 61, 139 to 142)**. In this context, a Ministerial Committee was set up in January 2016. It has looked into several issues pertaining to the electoral reform, namely, the financing of political parties, widening of powers of the Electoral Supervisory Commission (ESC), guaranteeing better women's representation in the National Assembly and amendments to the electoral system in Rodrigues has already been catered for. At the beginning of the month of May 2018, the Ministerial Committee on Electoral Reforms has submitted its report and same is currently under examination at the level of the Prime Minister's Office before submission to Cabinet. **(Recommendations 48 and 62)**

Prohibition of all forms of slavery

73. Slavery and forced labour are prohibited under Section 6 of the Constitution. The Employment Rights Act also provides that a child below the age of 16 cannot enter into an employment contract and the normal day's work of a worker consists of 8 hours' actual work.

74. The Act also makes provision for equal remuneration for work of equal value **(Recommendations 56 and 63)**.

75. A shelter for adult victims of human trafficking has been identified which, amongst others, shall provide temporary accommodation suited for the needs of victims of trafficking.

76. The number of cases of trafficking in persons that have been reported to Police is as follows.

Year	*2013*	*2014*	*2015*	*2016*	*2017*
No of reported cases	14	22	29	13	7

Source: Mauritius Police Force

77. In terms of victim support, there are Government funded NGO shelters and victim drop-in centre. The Courts Act provides for camera testimonies under specific circumstances. In addition, Government is also working on a comprehensive policy and strategic plan for children and the Police Department is collaborating with international organisations such as INTERPOL to gather information and intelligence for offences, including those related to human trafficking having an international dimension.

78. To ensure a proper coordination, an inter-Ministerial Committee has been set up under the Chairmanship of the Attorney-General for a concerted response to issues related to Trafficking in Persons, including child trafficking and forced labour. A draft National Action Plan to combat Trafficking in Persons is currently under preparation.

79. In January 2016, the Office of the Director of Public Prosecutions in collaboration with the US Embassy and the International Organisation for Migration, provided a training course to various stakeholders on investigation and prosecution of 'trafficking in persons'

offences. Further trainings were provided to senior officials of the police department by the Office to identify and discuss legal issues which may arise on the detection and prosecution of trafficking in persons offences.

Right to privacy and family life

80. The National Identity Card (Miscellaneous Provisions) Act 2013 provided for the storage and retention of biometric information (including fingerprints) on a centralized database. However, the Supreme Court of Mauritius, has in the case of R. Mahadewoo v The State 2015 SCJ 417 held that the storage of biometric information on the centralised database was not necessary in a democratic society and was in breach of section 9 of the Constitution of Mauritius. Following the Court judgment, the biometric information stored was destroyed by decision of Government.

81. Section 31 of the Employment Rights Act provides that a male worker is entitled to 5 continuous working days' paternity leave.

Right to work and to just and favourable conditions of work

82. Under sections 8 and 23 of the **National Wage Consultative Council Act 2016**, the National Minimum Wage is now law in Mauritius. The National Minimum Wage Regulations 2017 provides for the payment of a monthly national minimum wage of Rs 8,140 from January 1st, 2018 for all full time employees and a prorated rate for part time workers.

Right to social security

83. The National Pensions Act has been amended in July 2017 to allow beneficiaries of industrial injury and survivor's pension to claim basic pension.

84. More than half of the total Government Budget is spent on community welfare and social security to promote social-economic wellbeing of the population. The social security system provides in respect of contingencies like old age, invalidity, death of bread winner, sickness, unemployment and employment injury. It also provides for wide array of social benefits, social aids and pensions. Basic Pensions were considerably increased in December 2014 and some 240,000 persons have benefitted from it.

Right to an adequate standard of living

85. On the basis of the UN definition of US $1.90 (PPP) per person a day, extreme poverty in Mauritius is negligible at less than 1%.

86. The Social Register of Mauritius (SRM) has been developed since June 2015 and constitutes a national database of vulnerable households in Mauritius. The Ministry of Social Security, National Solidarity and Environment and Sustainable Development is the legal custodian of the SRM database.

87. In the National Budget Speech of 2016/2017, the national poverty lines, which stood at Rs 6, 200 and Rs 5, 000 (excluding transfers) for Mauritius and Rodrigues, respectively, had been reviewed with the introduction of a new scheme under which every adult on the Social Register of Mauritius is entitled to a monthly subsistence allowance based on a minimum threshold of Rs 2,720 per adult with a maximum threshold of Rs 9,520, for a family of two adults and three children. The quantum of subsistence allowance to be paid is the difference between the assessed income and poverty threshold of the household. In this connection, the Social Integration and Empowerment Act was enacted in 2016.

88. Following the change in law, a new database of 8,340 eligible poor households had been constituted under the Social Register of Mauritius (SRM) as at 31 December 2016. The first payment of the monthly subsistence allowance to 7,993 eligible households, who

have signed their social contracts, was effected on 15 December 2016 for a total amount of Rs 14.9 Million. The registration of households living in absolute poverty under the SRM is on-going **(Recommendations 27 and 89)**.

89. Negative Income Tax (NIT) is a system where, instead of paying taxes, individuals earning below a certain amount, will receive financial support from Government. NIT has been implemented since July 2017 and some 75,000 persons are directly concerned with this new measure.

90. Since 2016, Government has decided to exempt households which consume up to 6m3 of water from payment of water charges. Grants are also provided to low income families for the purchase of water tanks. 99.4% of the population had access to piped potable water (2011 Housing and Population Census Survey, Statistics Mauritius).

91. The Water Resources Unit is implementing the Master Plan for Water Resources for the mobilization of additional water resources to meet the present and future needs of the population. A new dam has been completed and will mobilize 12 Million cubic meters of water to improve water supply in the central region and in Port-Louis. Additional dams and reservoirs will be built to increase the present potable water production of 78,000 m^3/day to 128,000 m^3/day.

Right to health

92. Mauritius being a welfare State, medical care is free for everyone and the right to health care is guaranteed for everybody without any discrimination. As at end 2017, there were 5 regional hospitals and three district hospitals. There is also a psychiatric hospital and 3 other specialized hospitals for chest diseases, eye diseases, ENT diseases and two Cardiac Centres. The total number of beds in Government health institutions was 3,874 at the end of 2017. In the private sector, there were at the end of 2017, 17 private health institutions which were providing in-patient care with a total of 664 beds.

93. In addition, the Primary Health Care system (PHC) comprises of a network of 21 Area Health Centres (AHCs), 130 Community Health Centres (CHCs), 5 Medi-Clinics (MC), 2 Community Hospitals (CH) and other satellite PHC institutions to provide health promotion, health education, family planning, immunisation, diagnostic, treatment and referral services. The Master Plan on Primary Health Care is being implemented to further reinforce the delivery of services and consolidate universal access.

94. The right to health to everyone is provided for in different legislations as follows:

(a) The welfare of mental patients is governed by the Mental Health Act, which serves as guidelines for the management, security and welfare of patients;

(b) The Trust Fund provided for under the Specialised Medical Care Act caters for the operation of a Specialised Medical Care Centre and the management of other institutions for the provision of high-tech medical care;

(c) The HIV and AIDS Act protects the rights and privileges of people living with HIV and those affected by the disease **(Recommendations 67, 96, 97)**. One of the objects of the Act is to respond to the HIV and AIDS epidemic through enhanced HIV prevention programmes and national mechanisms for HIV testing and counseling (HTC). It also safeguards a wide range of protection to key affected populations and ensures that stigma and discrimination do not hinder accessibility to health care services and needle exchange programme **(Recommendation 68)**. The National AIDS Secretariat developed an ACTION PLAN for HIV/AIDS 2018-2022 which is aligned to the UNAIDS vision of ending HIV transmission by 2030, and achieving the 90-90-90 treatment goals **(Recommendation 96)**;

(d) Under the Dangerous Chemicals Control Act, the Dangerous Chemicals Control Board has the task of, inter alia, ensuring the effective control of dangerous chemicals;

(e) The Food Act regulates, inter alia, the determination of fitness of food, its preparation, packaging, storing, conveyance, distribution, as well as sale; and

(f) To address the growing concern of excessive use of pesticides in agricultural produce which may have an adverse effect on health, Government has recently introduced the Use of Pesticides Bill in the National Assembly.

95. Mauritius has made significant progress in enhancing child health. Since 1990, infant mortality rate per thousand live births and under-five mortality rate declined by almost by 33%. Immunization coverage rate has reached nearly 97% through the Expanded Programme of Immunization (EPI). Maternal Child Health (MCH) services, including ante-natal care and postnatal care have been strengthened through the inclusion of Gynecologist sessions in Area Health Centres for ante-natal care with echography facilities.

96. Sexual and reproductive health services are available in all hospitals and health care centres and are fully accessible to any citizen, free of cost. Moreover, section 235 of the Criminal Code has been amended in order to allow medical termination of pregnancy in specified cases. Sexual education is already integrated in the curricular materials at secondary levels and in the school programmes **(Recommendation 95)**.

97. With regard to the increase of Cancer patients in Mauritius, Government is updating the existing Cancer Action Plan whilst also envisaging the setting up of the National Cancer Agency. There is equally a new Cancer Centre Project being implemented, and the Centre will be one of Excellence for Cancer Care and Research with high technology State of the Art equipment.

98. Drug abuse is a matter of concern in Mauritius. Several initiatives have already been taken by the Customs Department to prevent the illicit entry of drugs in the country, among others, the creation of an Anti-Narcotic Unit, the recruitment of 83 officers which include customs officers and psychologists who could be able to identify drug dealers through their body language, and the purchase of a Fast Interceptor Boat in January 2016.

99. In November 2015, a National Drug Observatory (NDO) was set up to monitor illicit drug use, drug abuse and drug trafficking in Mauritius with the objective to provide evidence-based information for an appropriate response to drug problems in the country. The first report of the NDO which was released in August 2016 has indicated that since October 2013, there has been an emergence of the use of new synthetic cannabinoids to which Government promptly reacted by making Regulations in 2015 to capture these new psychoactive substances. There are ongoing extensive anti-drug campaigns throughout the island targeting the youth, workforce and the community at large, as follows:

- A National Prevention Programme started in April 2016 for Nursing Officers and Health Care Assistants;
- Prevention activities in 159 educational institutions reaching 33,693 students;
- 493 sessions in community centres whereby 17,277 members of the community have participated; and
- 235 sessions in workplace reaching out 6,870 participants.

100. Government has come up with a National Drug Control Masterplan (NDCMP) 2018-2022, which has been worked out with the collaboration of United Nations Office on Drugs and Crime, to address drug control comprehensively.

The right to education

101. With the "Zone d'Education Prioritaire" Project and the Supplementary School Feeding Programme whereby bread/butter/cheese, a fruit and water is offered daily to all pupils of ZEP schools, the pupil's rate of absenteeism decreased from 15.7% in 2007 to 9.3% in 2014. Attendance rate was more than 90% in 24 schools during 2014. In 2017, attendance was 90.3%.

Special Education Needs (SEN)

102. The Education and Human Resources Strategy Plan 2008-2020 sets the framework to ensure that, by 2020, all children requiring SEN in Mauritius enjoy access to relevant and high quality SEN education with the objective of enabling the effective inclusion and integration of all children with visual, hearing, autism and intellectual /mental handicaps within the education system **(Recommendation 108)**.

103. In March 2016, there were 66 registered SEN schools in the Republic of Mauritius catering for children with physical problems relating to visual, learning, hearing and intellectual (slow learning) and autism. Thirteen of these schools are run by Government and the rest by NGOs. As at end 2016, the number of students enrolled in these schools has steadily increased as shown in Table below **(Recommendation 98)**.

Enrolment in SEN schools (2013–2016)

Year	*2013*	*2014*	*2015*	*2016*
No. students	2,008 (63% boys)	2,291 (63% boys)	2,301 (64% boys)	2,515 (64% boys)
% Increase (compared to year 2011)	8%	24%	24%	26%

Source: Ministry of Education and Human Resources, Tertiary Education & Scientific Research.

104. The National Empowerment Foundation is providing educational support in the form of school bags, uniforms, shoes, notebooks, socks and stationery to pre-primary, primary, secondary, vocational and tertiary students. Some 17,000 students have benefitted in 2018. **(Recommendation 45)**

Rights of women

105. In line with the provisions of the ILO Convention No. 100 and Article 11 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), section 20 of the Employment Rights Act was amended in June 2013 to read as follows **(Recommendations 17, 56, 60 and 133)**:

(a) Every employer shall ensure that the remuneration of any worker shall not be less favourable than that of another worker performing **work of equal value**; and

(b) Where an employer has recourse to the services of a job contractor, the latter shall ensure that the remuneration of any worker shall not be less favourable than that of another worker performing **work of equal value**.

106. Section 30 of the Employment Rights Act provides that a female worker is entitled to 14 weeks maternity leave on full pay.

107. Adult Literacy Programme is carried out by the Ministry of Gender Equality, Child Development and Family Welfare (MGECDFW) in Women's Association and Women Centres. Furthermore, the National Women Centre has also included a component on the "Kreol Morisien" since January 2015, and aims at empowering women with the basic skills to write and read in Creole language **(Recommendation 103)**.

Participation of women in politics

108. Mauritius is also committed to an increased participation of women in the political arena. Mauritius had her first female speaker of the National Assembly in December 2014 and her first female President in June 2015 as well as her first female Vice-Prime Minister in 2018. There has been a marked increase in the number of women participating in the last national elections in 2014 whereby out of 726 candidates, 127 were women as compared to 58 in 2010 as shown in Table below.

	2010		2014	
Candidates	*Number*	*%*	*Number*	*%*
Men	471	89.0	599	82.5
Women	58	11.0	127	17.5
Total	**529**	**100.0**	**726**	**100.0**

Source: Electoral Commissioner's Office

109. The Local Government Act was amended in 2015 to provide for every group presenting more than 2 candidates at an election of a Municipal City Council or Municipal Town Council to ensure that not more than two thirds of the group's candidates for election to that Council are of the same sex.

110. Out of the 70 Members of the National Assembly, eight (8) are women (i.e. 11.4%) from which three (3) are Ministers. Moreover, one woman Member of Parliament from the Opposition has been assigned the responsibilities of Chairperson of the Public Accounts Committee in March 2017.

111. Noticeable progress has been observed in the representation of women holding senior positions in the Public Service. Government appointed a woman as Deputy Commissioner of Prison in 2014. Other figures, as at November 2017, are as follows:

Position	*%*
Senior Chief Executive	50.0
Permanent Secretaries	38.9
Deputy Permanent Secretaries	48.1
Assistant Permanent Secretaries	60.7
Judges	50.0
Magistrates	70.0

112. There has been a significant increase in the recruitment of women in the diplomatic service in recent years as follows:

Intake	*Men*	*Women*	*Total*	*%*
2008	8	4	12	33.3
2013	4	4	8	50.0
2016	7	9	16	56.25

113. Government has launched a new "Code of Corporate Governance" in 2017, which, inter alia, makes provision for greater representation of gender on the Board of Directors.

Protection against domestic violence

114. The Protection from Domestic Violence Act was amended in 2016 with a view to reinforce the protective services of victims of domestic violence by:

(a) Increasing the powers of Enforcement Officers;

(b) Widening the definition of the term 'domestic violence'; to include, inter alia, the wilful infliction or attempted infliction of injury, intimidation, forcible engagement in an act from which the spouse had a right to refrain and withholding of resources;

(c) Providing that a person who does an act of domestic violence against his spouse, a child of his spouse or another person, living under the same roof shall commit an offence; and

(d) Empowering a police officer not below the rank of Assistant Superintendent to arrest a person, where, following an act of domestic violence, physical injury has ensued.

115. In addition, steps had been taken to reduce domestic violence through counselling and assistance for victims and nationwide awareness campaigns. The eradication of domestic violence is a long-term undertaking **(Recommendation 69)**.

116. 1,626 new cases of domestic violence were reported to the Family Support Bureaux of the MGECDFW in 2015, out of which 174 concerned men and 1,452 women. From January to December 2016, the number of new cases reported was 2,077 out of which 225 concerned men and 1,852 concerned women **(Recommendation 70)**.

117. The Office of the DPP has carried out various training sessions with law enforcement officers pursuant to the abovementioned amendment to the Protection from Domestic Violence Act, to ensure efficient enforcement and prosecution under the legislation.

118. Domestic Violence Information System (DOVIS) is a computerized system used to monitor, assess and generate reports on cases of reported domestic violence. It was launched in 2016 and has improved record keeping for faster answers to queries regarding domestic violence issues.

119. Religious and Social Organizations (RESO)-Impact was launched in May 2018 to sensitize and motivate more people to address the problem of gender-based violence and promote family well-being through religious bodies and socio-cultural groups.

120. A study on Intimate Partner Violence (IPV) to assess the prevalence, causes, consequences and cost of IPV on the economy was conducted in 2016. An action plan on IPV is being finalized.

121. The Men As Caring Partners Project, launched in October 2017, addresses stereotyping, aims at enhancing their understanding of gender equality, ensuring effective participation of men in family well being, promoting equal opportunities in development process and ensuring men become caring partners.

Rights of children

122. The Child Protection Act provides for the protection against child trafficking. Section14(1) of the Act provides that any person shall commit an offence if he causes, incites or allow any child: (a) to be sexually abused by him or by another person; (b) to have access to a brothel; and (c) to engage in prostitution.

123. A Child Perpetrator Support Unit set up in June 2017 caters for the psychological and mental health needs of juvenile offenders. It devises treatment programmes to assist children in conflict with the law, enabling children to develop skills to prevent relapse and reintegrate the society.

124. A Protocol on domestic violence and child abuse is included in Police Manuals. A Protocol of Assistance to Child Victims of Violence and Collaboration between the Police and the MGECDFW was signed on 8 June 2015 **(Recommendation 70)**.

125. A Residential Drop-in-Centre operational since May 2016 caters for the rehabilitative needs of children victims of sexual abuse and commercial sexual exploitation including child trafficking.

126. The "Back to Home Project" of February 2017 is an initiative to rehabilitate parents and establish a new beginning through mediation and counselling in order to reintegrate children back in their family settings.

127. Police Officers refer children who have been abused to the Child Development Unit for psychotherapy and placement to shelters. In addition, the Police has a 24-hour hotline service, and Operations Room at divisional or at Line Barracks is open on a 24 hour basis.

128. Corporal punishment is prohibited in schools by virtue of regulation 13(4) of the Education Regulations, Section 13(1) of the Child Protection Act and Section 230 of the Criminal Code. The Children's Bill, which is currently under preparation, proposes to specifically prohibit corporal punishment in all settings in order to be in line with the

international norms set out in the Convention on the Rights of the Child (**Recommendation 18 to 21, 143 and 149**).

129. The Police Family Protection Unit (PFPU) has the special mandate to provide services such as counseling/intervention for domestic violence, child abuse, elderly abuse, family conflict, conflict among neighbours. Awareness/sensitisation campaigns have been conducted as follows.

Campaigns of Brigade Pour la Protection des Mineurs for the year 2013-2017

Year	*No. of sessions*	*No. of attendees (minors adults)*
2013	390	28,558
2014	337	25,071
2015	436	32,744
2016	440	33,452
2017	356	44,327
Total	**1,959**	**164,152**

Statistics from the Mauritius Police Force

130. With a view to better sensitizing the community on the dangers of drugs and commercial sexual exploitation of children, the Anti Drug and Smuggling Unit (ADSU) has intensified its awareness campaign in collaboration with the community, schools and other NGOs (**Recommendation 22**). The number of sessions held and the number of persons reached are as follows.

Year	*No. of sessions held*	*No. of persons sensitised*
2013	53	4,800
2014	69	26,620
2015	106	24,649

131. The Office of the DPP has established a special Unit (Child Victim and Witness Support Unit) to act as a liaison body between the investigation phase of the enquiry made by the police, the advice stage and the lodging of cases in Court, especially in cases involving children. As such, a fast track procedure has been put in place to ensure that advice in such cases are tendered expeditiously. Members of the Unit have carried out several workshops with the police to discuss on the vulnerability of witnesses and victims in sexual abuse cases as well as domestic violence cases.

132. Furthermore, a fast track procedure has been set up for all Court cases involving children, victims and juveniles, whereby the Magistrates ensure that the cases are in shape, that Counsel disclose all requested documents and issues well before the date the child is due to appear before Court.

133. The Employment Rights Act makes provision for a child below the age of 16 not to enter into an employment contract, and for an employer not to keep on employment a young person where the work is of such a nature, or the circumstances in which it is carried out, is likely to jeopardise the health, safety, physical, mental, moral or social development of the young person.

134. Other instruments catering for the protection of the child are the Child Protection Services, Alternative Care System/Residential Care Institutions, Foster Care Programme, Child Protection Register, High Powered "Working Together" Committee, Tardy Declaration of Birth, Child Mentoring Programme (CMP) and Early Childhood Development Programme-Monitoring of Child Day Care Centres. Additional details are at **Annex 2**.

135. In 2016–2017, the Ombudsperson for Children's Office investigated into 346 new cases of violation of the rights of children. It sensitized some 5,000 children and some 6,000 adults on the rights of children and related issues such as children in conflict with the

law, bullying, child poverty and child sexual abuse among others. The Office carries out 2 visits per year to Rodrigues.

136. Regular visits are also carried in the Residential Care Institutions, the Rehabilitation Youth Centres and the Correctional Youth Centres to assess whether the rights of the residents in these institutions are being respected.

137. A pamphlet of the Articles of the Convention on the Rights of the Child in English and Creole was launched on the Day of the African Child in June 2016. The aim is to raise awareness of children and parents on their rights (**Recommendation 64**).

138. The Police, in collaboration with the social workers of the Ministry of Education and Human Resources, Tertiary Education and Scientific Research, and the Child Development Unit of the MGECDFW ensure that children who drop out of school are redirected back to the education system.

Rights of persons with disabilities

139. Government has adopted a rights-based approach to the issue of disability as follows:

(a) Persons with disabilities benefit from free transport;

(b) Government has adopted a policy of inclusive education and a number of facilities are being provided to enhance educational opportunities for persons with disabilities:

(i) Refund of bus fare for accompanying parents;

(ii) Scholarship scheme to pursue secondary and tertiary studies; and

(iii) Refund of taxi fare to students with disabilities attending university and who cannot travel by ordinary means of transport;

(c) The Equal Opportunities Act prohibits discrimination on the basis of disability;

(d) The Building Control Act provides for enhanced accessibility to public infrastructure by disabled persons (**Recommendation 26**);

(e) Voting procedures have been made disabled-friendly (for example a disabled person can vote through a companion or poll clerk can help him/her) to enable persons with disabilities to participate in public affairs and governance (**Recommendation 106**);

(f) A Forum of Women with Disabilities has been set up to lobby for the Rights of Women with Disabilities to equal opportunities in all spheres of life;

(g) A Special School of Performing Arts has been set up to develop the talents of persons with disabilities;

(h) Athletes with disabilities are provided with facilities to participate in competition at both local and international levels;

(i) Free parking coupons and dedicated parking space are provided for persons with severe mobility problems;

(j) Special loan scheme are granted at preferential rate for persons with disabilities from Employees Welfare Fund since 2014 for the purchase of assistive devices;

(k) Duty free facilities (85%) are provided to persons with disabilities for the purchase of adapted cars;

(l) Respite care programme exist for the benefits of persons with disabilities as well as hydrotherapy sessions;

(m) Secondary school students have a monthly stipend of Rs 500. Around 150 students with disabilities are currently benefiting from this scheme;

(n) Subsidised passport fee of Rs 400 instead of Rs 700;

(o) Physiotherapy and occupational therapy sessions;

(p) Children below 15 years of age, with disabilities, are also benefiting from Invalid's Basic Pension (BIP) as from July 2016. More than 3,300 children are in receipt of Rs 5,810 monthly; and

(q) The Child Protection Act, the Domestic Violence Act and the Family Protection Act also cover persons with disabilities. Moreover, an employer with 35 or more workers has to ensure that he employs 3% of the workforce with persons with disabilities (**Recommendation 26**).

140. 19 Braille Displays were distributed to blind students and 2 to blind students in Rodrigues to help improve the accessibility of computers for the blind and vision-impaired people. The specificity of the Braille displays is that it converts text into a tactile seamless line of 40 Braille characters.

141. A Disability Bill is being prepared to prohibit discrimination and provide further protection to persons with disabilities.

142. The Constitution of Mauritius was published in braille in 2018 and is available in public libraries and it was made available to NGOs.

Rights of elderly persons

Protection of elderly persons

143. Government provides for the protection and welfare of the elderly and disabled persons such as (**Recommendations 107, 110**):

(a) Free Public Transport, Carer's Allowance, Rent Allowance to eligible elderly persons living alone and in receipt of Social Aid, Grant for the purchase of medicine to centenarians, Anti-influenza Vaccination, Free issue of assistive devices such as wheelchairs, hearing aids and spectacles;

(b) The basic pension to the old, widows, orphans and person with disabilities was increased by around 40 percent in December 2014. Basic Retirement Pension (BRP) is payable to the elderly aged 60 years and above on universal basis;

(c) In view of the ageing population and the increasing demand for carers, the Ministry has trained formal carers;

(d) The Senior Citizens Council organises a host of activities during the year and also provides a grant to Senior Citizens Associations in Mauritius and Rodrigues;

(e) A network of 20 Elderly Watch in Mauritius and 4 in Rodrigues, an Elderly Persons Protection Unit, a Monitoring Committee and hotlines (172) and (199) have been set up to ensure the protection of the elderly (**Recommendation 46**);

(f) 20 Elderly Day Care Centres and 24 Health Clubs have been set up where educational, adult literacy, IT Literacy, Handicrafts and Embroidery classes, proper cooking methods and health programmes are organized (**Recommendation 103**);

(g) There are 3 recreational centres and a 4th one is under construction at Riambel;

(h) The Protection of Elderly Persons Act was amended to enhance the level of protection and of security to the elderly;

(i) Free domiciliary Medical Visits to all persons aged 90 and above and to bedridden or severely disabled persons aged 75 and above (**Recommendation 109**);

(j) An "observatory" on ageing was set up to carry out action-oriented research on the socio-economic aspects of ageing and submitted its report in 2014.

144. Government has set up a Special Support Care service to Elderly people with disabilities and those living alone as part of its strategy to provide a "service de proximite" to them.

Rights of migrants

145. Article 13 of the Code Civil Mauricien provides as follows-"L'étranger jouira à Maurice des mêmes droits civils que ceux qui sont ou seront accordés aux Mauriciens par les traités de la nation à laquelle cet étranger appartiendra."

146. A pamphlet entitled 'Know Your Rights' will soon be issued in different languages to inform foreign workers of their rights. The said pamphlet will be distributed at various points such as the immigration counters, the place of work etc.

Refugees/Asylum seekers

147. Although Mauritius has not yet signed the Convention, it has always extended necessary assistance to those who apply for asylum through the United Nations High Commissioner for Refugees. (**Recommendation 128**)

Right to housing

Social Housing Policy of the Government

148. The Ministry of Housing and Lands has among its objectives, a National Housing Programme for period 2015–2019. This includes the construction of 10,000 concrete housing units of 50m^2 each for households earning less than Rs 20,000 monthly. The housing units are meant for beneficiaries of the National Housing Development Corporation, with subsidy from Government as follows.

Family Income (Rs)	*Purchase price of the housing unit*	*Government subsidy*
≤10000	1/3 of the construction cost	2/3 of the construction cost
10 001–15 000	1/2 of the construction cost	1/2 of the construction cost
15 001–20 000	4/5 of the construction cost	1/5 of the construction cost

Financial assistance for roof slabs and purchase of building materials

149. Government also encourages self-help construction of housing units by very low to low income families who already own a plot of land. These families are financially assisted through a grant scheme either for the casting of roof slabs to complete their construction or for the purchase of building materials to start their construction. As at April 2018, some 56,674 families have benefited from that scheme and Government has spent some Rs 2.41 Billion.

Human rights awareness, training and sensitization

150. Human rights education has been introduced at primary, secondary and tertiary level (**Recommendations 37 and 38**). At tertiary level, Human Rights Education already forms part of the curriculum of LLB courses at the University of Mauritius (**Recommendations 35, 36**).

151. Human Rights awareness, training and sensitization **(Recommendations 30–34)** have also become part of our culture for human rights in Mauritius. They are at done at different levels:

- Training to law enforcement officials;

- The legal professional;
- Students;
- Civil servants.

152. Details of Awareness campaigns are at **Annex 3.**

V. Achievements, best practices, challenges and constraints

153. Since September 2017, Mauritius has a Ministry dedicated to human rights issues and under the said Ministry, a National Mechanism for Reporting and Follow Up has been set up.

154. The Citizen Support Portal (CSP), an initiative of the Prime Minister's Office, was launched in April 2017 with a view to better address complaints of citizens. In line with government's philosophy to move to a digital society, through the CSP, citizens can register their query/ complaint on a database and track their query/ complain at any point in time.

155. As already stated above, the law now provides for the payment of a monthly national minimum wage.

156. With a view to promoting teaching of the mother tongue, the Kreol Morisien was introduced with school children at primary level as an optional subject. **(Recommendations 104 and 105).**

157. Government has set up the Independent Police Complaints Commission, separate from the National Human Rights Commission in 2018. The purpose of this initiative is to expedite the determination of complaints concerning police brutality **(Recommendations 85 and 86).**

158. The National Preventive Mechanism Division of the National Human Rights Commission has conducted a number of training sessions on the Convention for prison personnel since 2014. Training on the Istanbul Protocol had been provided to law enforcement officials. Medical staff shall also soon benefit from such training.

159. The proceedings of the National Assembly are broadcast live since 2017.

Challenges

160. **Government proposes to introduce a Police and Criminal Evidence Bill.** Provisions are being made therein for Codes of practice to be observed by Police Officers. It relates to investigation, powers of arrest and stop and search **(Recommendation 144).** The implementation of such a law, bringing revolutionary changes to criminal procedure, will be a challenge.

VI. Key national priorities, initiatives and commitments

161. The Government is committed to fight against corruption. Government has issued since 2016, an anti-corruption policy aiming at the deterrence and detection of corruption and adherence to a culture of integrity.

162. The **Disability Bill** is being finalized to encompass issues related to Disability, including employment. This Bill will also domesticate the provisions of the Convention on the Rights of Persons with Disabilities. Necessary procedures will be initiated to amend section 3 and 16 of the Constitution to prohibit discrimination on the basis of disability and to provide further protection to persons with disabilities.

163. The Gender Equality Bill is under preparation and it aims at providing further protection against gender-based discriminatory practices. The Adoption Bill is also being worked out to regulate domestic adoption in Mauritius and intercountry adoptions involving Mauritian citizens.

164. Government is conscious of the increase in the number of cancer patients and is fully committed to take appropriate measures in the Health sector.

165. Guaranteeing security, law, order and the fight against dangerous drugs are amongst the main priorities of the Government.

166. Although marital rape is not a specific offence in the Criminal Code, the act of rape against a spouse is covered under the existing offence of rape under section 249. It is also covered under the Protection from Domestic Violence Act per the amendments brought to the Act in 2016. Consideration is being given to the possibility of establishing the specific offence of marital rape as part of a forthcoming review of the legal framework governing sexual crimes.

167. A draft Children's Bill is currently being finalized (**Recommendations 18, 19, 20, 21, 23 and 111**). The Bill seeks, inter alia, providing better care and protection to children, promoting the development and welfare of children and setting up structures, services and means for promoting and monitoring the sound physical, psychological, intellectual, emotional and social development of children.

168. Government is presently reviewing the media landscape with the objective of reforming the media law. The aim, being that an appropriate media framework be put into place by reviewing, updating and incorporating the latest developments and trends in media for the benefit of both Government and the public (**Recommendation 148**).

169. Government has agreed to the implementation of the second phase of the e-Prisons project which will comprise of the following four new modules:

(a) Prison staff management system;

(b) Duty management information system;

(c) Baby management information system; and

(d) Prison training information system.

170. Government is setting up an Integrated Support Services Against Domestic Violence to provide an effective communication means to respond to victims. It aims at providing timely support and counseling to victims and will be operational end 2018.

171. Government will make extensive use of information technology to improve service delivery, access to information for the benefit of Mauritian citizens and help move towards a fully-fledged digital society. A series of applications will be launched; for instance, the Smart Apps Platform project, a Family Welfare Mobile service and National Open Data Portal of Mauritius.

172. Government has set up a website comprising of text enlargement and colour blind features where necessary information relative to Education, Training and Employment, Legislations and Rights and services provided by the Disability Unit are disseminated.

VII. Capacity building and technical assistance

173. The personnel of different Ministries require the appropriate training and expertise to better understand human rights aspects and to deal with it in a more appropriate manner. The requirements for each Stakeholder are different. Training and technical assistance from the Human Rights Council is welcome especially on burning issues like human rights of vulnerable groups, the human rights perspective to emerging issues like fake news, fake profiles, and abuse of social media inter alia.

VIII. Conclusion

174. Mauritius is fully committed to the protection and promotion of Human Rights at the domestic, regional and international levels and shall endeavor to maintain and improve its Human Rights situation. In this regard, Mauritius is fully committed to the UPR process and welcomes any assistance, which will help in the development and promotion of Human

Rights in the country. The newly set up Ministry of Justice, Human Rights and Institutional Reforms will spare no efforts to promote and nurture a culture of Human Rights within the Republic. In the same vein, the Ministry through the NMRF will ensure that due consideration will be given to the Recommendations that will be made after our review in November 2018.